

HOUSE BILL 2892

By Winningham

AN ACT to amend Tennessee Code Annotated, Title 49,
Chapter 4, Part 9, relative to postsecondary
financial assistance from net lottery proceeds.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by
adding the following language as a new, appropriately designated section:

§ 49-6-9__.

(a) As used in this section, "transferable semester hour" means a semester hour taken by a student at a postsecondary institution other than an eligible postsecondary institution or a regionally accredited postsecondary institution located outside of Tennessee that the eligible postsecondary institution in which the student subsequently enrolls accepts for transfer. "Transferable semester hour" includes any semester hour which the eligible postsecondary institution will accept for transfer regardless of whether the student made the grade required by the eligible postsecondary institution for receipt of credit for such course. "Transferable semester hour" does not include any semester hour that the eligible postsecondary institution refuses to accept for transfer because of the content of the course or the subject matter covered.

(b) Notwithstanding any provision of this part to the contrary, a student who is eligible under any provision of this part for a Tennessee HOPE scholarship as an entering freshman, but who chooses to attend a postsecondary institution other than an eligible postsecondary institution or a regionally accredited postsecondary institution located outside of Tennessee before enrolling in an eligible postsecondary institution shall be eligible for a Tennessee HOPE scholarship, if the student:

(1) Maintains satisfactory progress in a course of study, in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution, that the student attends before enrolling in an eligible postsecondary institution;

(2) Is admitted to and enrolls in an eligible postsecondary institution within sixteen (16) months after graduating from high school, completing high school in a home school program or obtaining a GED;

(3) Provides the eligible postsecondary institution with a transcript and any other information necessary for the institution to evaluate the student's prior postsecondary work;

(4) Is not ineligible for the scholarship under § 49-4-904;

(5) Meets the requirements of § 49-5-405; and

(6) Applies for a Tennessee HOPE scholarship.

(c) When such student enrolls in an eligible postsecondary institution, the institution shall compute the student's entering cumulative grade point average using all transferable semester hours attempted. Semester hours that the eligible postsecondary institution does not accept for transfer because of the content of the course or the subject matter covered shall not be used in the calculation of the student's entering cumulative grade point average. If the student enrolls in the eligible postsecondary institution with fewer than forty-eight (48) transferable semester hours attempted, then the student shall have a entering cumulative grade point average of at least 2.75 in order to be eligible for a Tennessee HOPE scholarship. If the student enrolls in the eligible postsecondary institution with forty-eight (48) or more transferable semester hours attempted, then the student shall have an entering cumulative grade point average of at least 3.0 in order to be eligible for a Tennessee HOPE scholarship. If a student has not

attempted any transferable semester hours upon enrolling in the eligible postsecondary institution, then this subsection shall not apply to that student.

(d) To continue to receive a Tennessee HOPE scholarship, such student shall meet the requirements of § 49-4-911, except that the student's cumulative grade point average shall be calculated using all transferable semester hours attempted and all semester hours attempted at an eligible postsecondary institution.

(e) A Tennessee HOPE scholarship awarded under this section shall be subject to the provisions of § 49-4-913, except that the total number of semester hours attempted shall be calculated using all transferable semester hours attempted and all semester hours attempted at an eligible postsecondary institution.

(f) A student who is eligible for a Tennessee HOPE scholarship under this section, and who also meets the qualifications for a General Assembly Merit Scholar supplemental award, shall be eligible for such supplemental award. A student who meets the requirements of § 49-4-915 shall be eligible for an ASPIRE award for need. Pursuant to § 49-4-917, a student may not receive both the ASPIRE award for need and the supplemental award as a General Assembly Merit scholar.

(g) The provisions of this section do not apply to nontraditional students.

(h) If a student attends a postsecondary institution that is not an eligible postsecondary institution prior to enrolling in an eligible postsecondary institution, but fails to reveal such attendance or provide the transcript and other information required in subdivision (a)(3), the eligible postsecondary institution, upon discovery of such attendance or the failure to provide the required information, shall immediately report to TSAC the student's attendance or failure to comply with subdivision (a)(3). TSAC, upon receiving such report or upon independently receiving such information about a student, shall notify the student that it is investigating the matter and provide the student with an

opportunity for a hearing. Any student who obtains a scholarship, grant or award under the provisions of this section without disclosing prior attendance at an ineligible postsecondary institution or without complying with subdivision (a)(3) shall be liable for a full repayment of all funds obtained under this part.

SECTION 2. A student may apply for the retroactive award of a Tennessee HOPE scholarship, a General Assembly Merit Scholarship or an ASPIRE award for any semester of the 2007-2008 academic year in which the student would have qualified for a scholarship or award had the provisions of this act been in effect during that academic year. TSAC shall award the Tennessee HOPE scholarship, a General Assembly Merit Scholarship or an ASPIRE award retroactively, if the student meets the applicable requirements for a scholarship or award.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.